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**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

NICHOLAS KIS, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

COGNISM, INC.,

Defendant.

Case No. 4:22-cv-05322-JST

**PLAINTIFF'S STATEMENT OF
RECENT DECISION**

Judge Jon S. Tigar

Pursuant to Local Rule 7-3(d)(2), Plaintiff NICHOLAS KIS respectfully informs the Court of additional authority in opposition to Defendant's Motion to Dismiss (Dkt. 24). Attached hereto as **Exhibit A** is the Ninth Circuit's September 21, 2023, Order in a similar case, *Martinez v. ZoomInfo Technologies, Inc.*, Case No. 22-35305, affirming the district court's denial of defendant's motion to strike the complaint under California's anti-SLAPP law and finding that, at the motion to dismiss stage, the plaintiff had plausibly pleaded that she suffered sufficient injury to establish constitutional standing to sue.

1 Dated: September 21, 2023

By: /s/ Brittany Resch

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CERTIFICATE OF SERVICE

I, Brittany Resch, hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record via the ECF system.

DATED this 21st day of September, 2023.

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